

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHIEF AUTOMOTIVE SYSTEMS, INC.,	)	4:97CV3017
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
JOHN ASTERINO d/b/a	)	
N.E. HOLDING CORP., a/k/a JOHN	)	
ASTERINO d/b/a NE BANKCO	)	
HOLDING CORP.,	)	
	)	
Defendants.	)	

This matter is before the court upon the motion of plaintiff Chief Automotive Systems, Inc. for an order to show cause why defendant John Asterino should not be held in contempt (filing 13.) The motion asserts that Asterino has failed to comply with the April 30, 1997 consent judgment entered against him in this action (the "Consent Judgment," filing 10). A brief and evidence have been filed in support of the motion. Counsel for the plaintiff has served Asterino by regular U.S. mail at a Fairmont, West Virginia address and has served counsel of record for Asterino at his West Virginia address. I will direct Asterino to show cause why he should not be held in contempt.

## IT IS ORDERED:

1. The defendant shall show cause on or before April 9, 2007, why he should not be held in contempt for his failure to comply with the Consent Judgment;
  
2. The defendant's failure to show cause may result in the imposition of injunctive relief, damages, and attorneys fees without further notice; and

3. Counsel for the plaintiff shall serve notice of this order on the defendant and his counsel, and shall file proof of service with the court.

March 12, 2007

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge